

SENATE BILL No. 201

By Committee on Federal and State Affairs

2-16

1 AN ACT concerning the Kansas consumer protection act; relating to the
2 definition of protected consumer; amending K.S.A. 2016 Supp. 50-676
3 and repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 50-676 is hereby amended to read as
7 follows: 50-676. As used in K.S.A. 50-676 through 50-679, and
8 amendments thereto:

9 (a) "Elder person" means a person who is 60 years of age or older.

10 (b) "Disabled person" means a person who has physical or mental
11 impairment, or both, which substantially limits one or more of such
12 person's major life activities.

13 (c) "Immediate family member" means parent, child, stepchild or
14 spouse.

15 (d) "Major life activities" includes functions such as caring for one's
16 self, performing manual tasks, walking, seeing, hearing, speaking,
17 breathing, learning and working.

18 (e) "Member of the military" means a member of the armed forces or
19 national guard on active duty or a member of an active reserve unit in the
20 armed forces or national guard.

21 (f) "Physical or mental impairment" means the following:

22 (1) Any physiological disorder or condition, cosmetic disfigurement
23 or anatomical loss substantially affecting one or more of the following
24 body systems: Neurological; musculoskeletal; special sense organs;
25 respiratory, including speech organs; cardiovascular; reproductive;
26 digestive; genitourinary; hemic and lymphatic; skin; or endocrine; or

27 (2) any mental or psychological disorder, such as intellectual
28 disability, organic brain syndrome, emotional or mental illness and specific
29 learning disabilities.

30 The term "physical or mental impairment" includes, but is not limited
31 to, such diseases and conditions as orthopedic, visual, speech and hearing
32 impairment, cerebral palsy, epilepsy, muscular dystrophy, multiple
33 sclerosis, cancer, heart disease, diabetes, intellectual disability and
34 emotional illness.

35 (g) "Protected consumer" means:

36 (1) An elder person;

- 1 (2) a disabled person;
2 (3) a veteran;
3 (4) the surviving spouse of a veteran; ~~and~~
4 (5) *a member of the military; and*
5 (6) an immediate family member of a member of the military.
6 (h) "Substantially limits" means:
7 (1) Unable to perform a major life activity that the average person in
8 the general population can perform; or
9 (2) significantly restricted as to the condition, manner or duration
10 under which an individual can perform a particular major life activity as
11 compared to the condition, manner or duration under which the average
12 person in the general population can perform that same major life activity.
13 Minor temporary ailments or injuries shall not be considered physical or
14 mental impairments which substantially limit a person's major life
15 activities. Minor temporary ailments include, but are not limited to, colds,
16 influenza or sprains or minor injuries.
17 (i) "Veteran" means a person who has served in the armed forces of
18 the United States of America and separated from the armed forces under
19 honorable conditions.

20 Sec. 2. K.S.A. 2016 Supp. 50-676 is hereby repealed.

21 Sec. 3. This act shall take effect and be in force from and after its
22 publication in the statute book.